

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/047,607 Confirmation No.: 5741
Applicant: Andrew C. Gilbert, et al.
Title: ELECTRONIC TRADING THAT PERMITS PRINCIPAL/BROKER
TRADING
Filed: January 14, 2002
Art Unit: 3691
Examiner: Muriel Tinkler

Atty. Docket: 01-1034
Customer No. 63710

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant wishes to make of record the items listed on the accompanying Form PTO-1449. Applicant respectfully requests the Examiner to fully consider the items and independently ascertain their teaching before issuance of the next action, and to make them of record in the file. The Examiner is also requested to initial and return a copy of the enclosed Form PTO-1449 to evidence such consideration.

1. Applicant has listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated. Applicant reserves the right to establish the patentability of the claims over any information provided herewith, and/or to rebut any showing that this information may be prior art, and/or to rebut any showing that this information is enabling for the teachings purportedly offered, and/or to rebut any showing that this information is analogous art, and/or to raise any other issue that tends to show patentability over the information.

2. This Information Disclosure Statement is being filed more than three months after filing of this application and after the mailing of a first Office Action on the merits, but before the mailing date of a final action under 37 C.F.R. § 1.113, or a Notice of Allowance under 37 C.F.R. § 1.311 (where there has been no prior final action), or an action that otherwise closes prosecution in the application. A fee is due pursuant to 37 C.F.R. §1.97(c)(2).

3. Charge the fee due under C.F.R. §1.17(p) to Deposit Account 50-3938, Order No. 01-1034.

4. The Commissioner is hereby authorized to charge any additional fees that may be required for this Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 50-3938, Order No. 01-1034.

Respectfully submitted,
ESPEED, INC.

Dated: November 8, 2007

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